

EXECUTIVE

Councillor Julia McShane (Chairman)
* Councillor Joss Bigmore (Vice-Chairman)

* Councillor Tim Anderson
* Councillor Tom Hunt
* Councillor George Potter

* Councillor John Redpath
* Councillor John Rigg
Councillor James Steel

*Present

Councillor Fiona White was also in attendance.
Councillor Ramsey Nagaty was in remote attendance.

EX81 APOLOGIES FOR ABSENCE

Apologies for absence were received from the Leader of the Council, Councillor Julia McShane and the Lead Councillor for Environment and Regulatory Services, Councillor James Steel.

EX82 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTEREST

There were no declarations of interests.

EX83 MINUTES

The minutes of the meeting held on 26 January 2023 were agreed as a correct record. The Chairman signed the minutes.

EX84 LEADER'S ANNOUNCEMENTS

The Deputy Leader of the Council reminded everyone that there was just one month to apply to Crowdfund Guildford. The current funding round deadline was Wednesday 29 March. There would be a lunchtime workshop on Thursday 23 February to provide further information and advice on how to apply. It was noted that, to date, 15 projects had received funding totalling £55,000.

[Crowdfund Guildford - Launch Event Tickets, Thu 23 Feb 2023 at 12:00 | Eventbrite](#)

The Council's Communications Team received praise and gratitude for the recently launched social media campaign featuring #weloveGuildford and #Guildfordlovesyou which had been very successful.

EX85 TO CONSIDER ANY RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

There were no new recommendations from Overview and Scrutiny Committee for the Executive to consider. The paper was noted.

EX86 REVIEW AND IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PLANNING COMMITTEE PEER REVIEW - FINDINGS OF THE WORKING GROUP

The Executive considered the report that set out the findings and recommendations of Planning Review Working Group.

The Council had originally scheduled a Planning Committee Peer Review to be undertaken by the Local Government Association (LGA) with the Planning Advisory Service (PAS) in March 2020, but this was postponed due to the Coronavirus pandemic. The Peer Review was rescheduled and took place in early November 2020, following which the LGA published their final report which included 12 recommendations for the Council to consider. The report was circulated to all councillors.

In January 2021 the Executive responded to the LGA/PAS recommendations by convening a Planning Committee Review Working Group which was to consider and respond to those peer review recommendations along with some other pertinent matters. The Working Group met six times in total and presented its findings to the Corporate Governance and Standards Committee on 19 January and a special meeting of the Planning Committee on 7 February 2023 where a number of amendments were made. The recommendations resulting from that consultation were set out in the Executive's Supplementary Information Sheet

The Executive was asked by the Lead Councillor for Planning Development, Legal and Democratic Services to consider the recommendations of the Working Group and the Planning Committee and, if agreeable, to refer these on to full Council for adoption.

The Chairman of the Planning Committee was in attendance and endorsed the recommendations.

It was explained that recommendation 4 (R4) had not been put forward for adoption as the Council already took account of the materiality of planning policy and neighbourhood plans routinely within the planning reports. It was noted that the recommendations included an alternative and more transparent process to the 'huddle' at Planning Committee which was welcomed. Recommendation 7 (R7) had caused much discussion amongst councillors during consultation but was described as a necessary change in procedure to enable the Council to make progress in processing a backlog of applications and to deliver an improved service going forward. A 12-month review was also welcomed.

Everyone involved in arriving at the final draft of recommendations were thanked for their input by the Chairman and officers were commended for the report.

RESOLVED:

That, taking into account the comments and recommendations made by the Planning Committee Review Working Group and the Planning Committee in response to the recommendations of the Planning Committee Peer Review undertaken by the Local Government Association with the Planning Advisory Service, the Council is recommended to agree the following actions:

- (1) That, in response to the LGA/PAS Recommendation R1: (Provide greater certainty in planning process by ensuring decision making conforms with planning policies

and material planning considerations acting on behalf of the whole Guildford community and ensuring that there is clear separation between ward level responsibilities and decision-making role on Committee), a regular (monthly) planning training programme, be reinstated via MS Teams, subject to the proviso that whilst the planning training programme would be regular, there might not on all occasions be training every month.

- (2) That, in response to the LGA/PAS Recommendation R2: (Explore ways to rebuild trust and confidence between officers and Members. Consider running an independently facilitated workshop to be held between officers and Members, separate to the Planning Committee meeting, to better understand their roles, issues, and concerns), an Officer/Member Workshop be held following the elections in May 2023.
- (3) That, in response to the LGA/PAS Recommendation R3: (Examine ways for Planning Committee and relevant officers to discuss and learn from appeal decisions to ensure that decisions on planning applications are undertaken, on behalf of the whole Guildford borough community, in a fair, impartial, and transparent way. The present system tagged onto the end of often long Planning Committees is not conducive to creating a learning atmosphere), quarterly appeal review sessions be held via MS Teams and facilitated by the Executive Head of Planning Development, noting that details of Appeal Decisions would continue to be included on Planning Committee agendas.
- (4) That, in response to the LGA/PAS Recommendation R4: (Review Planning Committee reports to see if further explanation can be given on the weight to be afforded to the Local and Neighbourhood Plan policies as well as material planning considerations such as the National Planning Policy Framework), appropriate mechanisms were in place already through which councillors could query policy weight afforded to particular proposals, noting that weight to be afforded to Local and Neighbourhood Plans and other material planning considerations would be covered in the training programme.
- (5) That, in response to the LGA/PAS Recommendation R5: (Ensure planning officers and Committee members are more aware of the impact of what a lack of housing delivery has on the weight given to Local Plan policies and kept appropriately updated on the work of the Housing Delivery Board), the topic of housing delivery be addressed as part of the Planning Committee training programme, which should include an overview of the Land Availability Assessment.
- (6) That, in response to the LGA/PAS Recommendation R6: (Review the opportunity for further guidance in the form of a supplementary planning document to help guide new high quality and sustainable development), in view of the current progress being made with SPDs and DPDs, no further action in response to this recommendation is required.
- (7) That, in response to the LGA/PAS Recommendation R7: (Review the Planning Committee referral system focusing particularly on the Member referral process (7-day procedure) and householder referral system to ensure that applications are not unnecessarily delayed and Planning Committee can focus on the strategically more important applications), the proposed process for Councillor Call-up (referral) to Planning Committee as set out in Appendix 3 to the report submitted to the Executive, be approved.

- (8) That, in response to the LGA/PAS Recommendation R8: (Revisit the site visits protocol with particular emphasis on who attends and on ensuring a consistent approach of officers and conduct of members during the site visit), no changes be made to the current site visit protocol on the basis that councillors were aware of the need to ask for a site visit ahead of time rather than at the meeting itself which was noted to be useful for councillors in assessing the planning merits of a scheme.
- (9) That, in response to the LGA/PAS Recommendation R9: (Review the member overturns process so that alternative motions are raised by Members and advice is provided by officers prior to the officer recommendation vote being made), the proposed procedure for councillors overturning officer recommendations at Committee, set out in Appendix 4 to the report submitted to the Executive, be approved.
- (10) That, in response to the LGA/PAS Recommendation R10: (Undertake bespoke probity in planning and appeals training for members with a neutral facilitator, for example, someone who has direct experience of being a Planning Inspector), the Probity in Planning training be incorporated into the annual training programme.
- (11) That, in response to the LGA/PAS Recommendation R11: (Review public speaking opportunities for Parish councils and special interest groups), the current public speaking arrangements be retained, but for the Chairman to retain the existing discretion to allow additional speaking slots for significant applications.
- (12) That paragraphs (1) to (5), and (10) above be implemented following the Borough Council Elections in May 2023, and paragraphs (7) and (9) above be implemented with immediate effect.
- (13) That the Executive Head of Planning Development be requested, in consultation with the relevant lead councillor and Chairman and Vice-Chairman of the Planning Committee, to undertake a review of the processes and practices referred to above after 12 months' operation, or sooner if deemed necessary.

Reasons:

To modernise the operation of the Planning Committee and to review and update all associated processes and procedures.

EX87 ECONOMIC DEVELOPMENT STRATEGY 2023-2040

The Lead Councillor for Customer and Commercial Services introduced the report to the Executive that, in line with the Council's Corporate Plan 2021 - 2025, presented a new Economic Development Strategy and accompanying draft action plan for the period up to 2040, outlining a renewed vision and priorities to support the local economy. If adopted, the strategy would replace those economic strategies that had now reached their expiration.

Guildford was a well located and well connected borough with strong economic foundations, but like elsewhere had experienced major economic shocks from the COVID-19 pandemic, Brexit and the cost-of-living crisis. Now, a reassessment of Guildford's challenges, opportunities and priorities was required. The Council needed to respond and to set out a refreshed strategy and action plan to reinvigorate Guildford's

economy and ensure it is a place where businesses and residents could continue to thrive.

It was noted that Guildford's residents were highly skilled and largely of working age. The borough was home to strong clusters such as the visitor economy and the gaming industry along with an entrepreneurial rural economy. However, to retain its place regionally and nationally the new strategy was required to better adapt to current challenges with an action plan that acknowledged current circumstances. The draft strategy proposed a strong partnership approach seeing the Council working alongside key stakeholders. Consequently, the action plan would be subject to further consultation with these groups and achieve a commitment to co-delivery

The Council had tasked Avison Young consultants to draw up the evidence base and the draft strategy and action plan. There had been extensive research and consultation undertaken to produce a new vision which was to re-establish Guildford at the heart of Surrey's economy.

From the research data it was noted that 70% of Guildford's residents were described as skilled workers. Consequently, there was a lack of non-skilled workers who were needed to support the economy. This was directly linked to the affordability and availability of housing in the borough. The Council was progressing the Weyside Urban Village scheme and 40% of the new housing would be affordable contributing towards this deficit. Scarcity of land to develop in the borough was mentioned as compounding factor. It was noted that Surrey County Council had recently published a strategy aimed at engaging all tiers of local government to work together to address the issue and to release land.

The quality and suitability of commercial space available was highlighted, noting that Government had restricted the capacity for the Council to invest in such stock which was a problem.

Some 40% of the town centre retail units were housing national chains which had been challenged in the strategy as lacking economic diversity. However, it was argued that retail chains could be more financially viable than independents.

The medium to long term issues set out in the report could be addressed the 'Shaping Guildford's Future' programme being progressed by the Council in terms of delivering more affordable homes, employment opportunities and making the town generally more economically attractive. The short issues were acknowledged as being difficult to address for the Council due to budgetary and staffing constraints.

Proposed new stations at Guildford West and Guildford East were mentioned in the draft strategy. Whilst it was noted that there was no budget allocated to Guildford East, the Executive did have a budget allocated to Guildford West. Any progress would be subject to discussion with key partners, Surrey County Council and Network Rail. Although the Council was supportive of sustainable transport options, there was currently no urgency to progress such a discussion for these proposed stations.

Summing up the Chairman acknowledged the key challenges set out in an articulately written strategy and action plan and the hard work required over the coming 10-15 years to achieve the goals. The Executive was content to recommend the Economic Development Strategy 2023-2040 and the supporting evidence base and action plan to full Council for adoption. Executive,

RESOLVED:

- (1) To recommend that the Council adopts the Economic Development Strategy 2023-2040 and the supporting evidence base, attached as Appendices 1 and 3 respectively to the report submitted to the Executive.
- (2) That the draft Economic Development Action Plan, attached as Appendix 2 to the report, which will be subject to further consultation with strategic partners, be noted.

Reasons:

To support the reinvigoration of Guildford's economy, the new Economic Development Strategy and Action Plan:

- Sets out the case for action in light of changes to the international, national and regional economic landscape.
- Gives an updated analysis of Guildford's strengths, weaknesses, opportunities and threats.
- Identifies key strengths and opportunities to for the Council and its partners to harness, such as sector specialisms and economic assets (e.g., commercial spaces).
- Highlights the importance of mitigating the environmental impact of economic activity to reflect climate change and sustainability issues.
- Identifies the levers that the Council can utilise to address priority interventions that can help deliver significant positive impact for our economy.

EX88 THE TUMBLING BAY WEIR

The Tumbling Bay Weir collapsed unexpectedly in November 2019, following which the Council and National Trust agreed to commission a temporary solution to restore water flow along the Navigation, sharing the cost equally. This was despite a lack of clarity of ownership and liability for replacing the Weir, so any structure installed as part of the works passed to the owner of the Weir.

There had been significant public interest in the Weir over the past 18 - 24 months, with the Council and National Trust facing criticism for a lack of activity to resolve the ongoing land ownership matters and perhaps more crucially, for the continued closure of the tow path.

There was a discussion about the confidential appendix to the report which had been restricted on the grounds of legal privilege. It was suggested that as much of the factual content appendix as should possible should be available in the public domain without compromising the Council's legal position. The Deputy Monitoring Officer would review the content again to learn to what extent this would be possible.

The Lead Councillor for Regeneration introduced the report to the Executive stating that the weir had attracted much public interest. The Council had conducted extensive historical research going back hundreds of years to ascertain who owned the site and therefore had responsibility for maintenance and repair. The clear outcome of the research was that the Council did not own the tow path, the weir or the bridge, indeed the tow path was not even a public footpath.

Cost of repair, likely to run to millions of pounds, was not the responsibility of the Council and given the Council's budgetary circumstances there was no available finance to make any further contribution. The Council had previously funded 50% of an emergency fix costing £800,000 shortly after the collapse in order to maintain the water levels in the Navigation for ecological reasons. A further £60,000 would be provided by the Council for a fish pass on the nearby Millmead Weir. Furthermore, the council would continue to engage with the National Trust and other stakeholders to find a long term solution. The flood agencies were the Environment Agency and Surrey County Council, both beneficiaries of the weir, had not offered to contribute. Thames Water undertook extraction for the Wey Navigation had not offered to contribute.

The purpose of the report before the Executive was to consider and to decide the level of involvement the Council intended to have in reaching a permanent solution to the weir. The Lead Councillor for Regeneration recommended that in the absence of a duty to pay for repair and in the absence of a budget to fund a repair the Council could have no further financial obligation.

The Executive heard some criticism from individual councillors, but overall, the Council maintained good relations with the National Trust. Most recently the Trust had proposed a financially collaborative approach with the Council but given budgetary pressures, and the consequent implications for public services should the Council commit to more funding, there was a consensus that Option 1, 'Do nothing as the land and the Tumbling Bay Weir are not owned by the Council' was the only way forward.

The land pocket SY734559 was owned by the Council and maintenance of the land had been challenging without the bridge in place. It was noted that there was a narrow access bridge available from the Shalford Road which was restricted, but when Environment Agency's weir was completed there would be additional access.

The Executive was mindful that the tow path route was important to residents, many of whom had appealed to the Council for a solution. Due to the level of public attention, there should be a comprehensive communications plan to clearly set out the Council's position. This plan would be reviewed by Executive members in advance of publication.

In summary, the Chairman noted that having stepped into an emergency situation following the collapse, the Council had received no gratitude. Indeed, the action appeared to have formed an opinion locally that the council had a duty to the site. Gratitude was expressed to members of the Council's legal team for the research and it was noted that although every available document had been consulted, it was possible that new information may come to light in the future. Should this be the case, the Council would review its position. The Executive,

RESOLVED:

- (1) To note that the legal research undertaken concludes that the Council does not own the tow path, Weir, or bridge, and neither does the Council have any obligations to maintain the assets.
- (2) To progress with "Option 1" as outlined in Section 10 of the report submitted to the Executive.
- (3) To communicate publicly the Council's rationale for progressing with "Option 1".

- (4) To continue to be available to engage with the National Trust or other Parties should other currently unknown options become available.

Reason:

The Council was receiving continued public criticism and is facing pressure to provide a permanent solution to the collapsed Tumbling Bay Weir and footbridge. A decision was required from Executive to provide clarity on the level of the Council's ongoing involvement in this matter.

The meeting finished at 10.52 am

Signed

Chairman

Date